

U.S. DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

MAR 19 2008

**FILED**

\*\*\*\*\*

Wayne Carter, Toni Cellucci, and \*  
Stacey Durgin, individually and \*  
on behalf of all similarly situated \*  
persons, \*  
Plaintiffs \*

Dkt. # 1:07-cv-00023-SM

vs. \*

New Hampshire Department of Health and \*  
Human Services, Commissioner, \*  
Defendant. \*

\*\*\*\*\*

O R D E R

1. On November 5, 2007, the parties filed their Joint Motion For Preliminary Approval of Proposed Class Action Settlement. (Doc. 37).

2. The Court granted preliminary approval to the proposed Final Order (the "Final Order") on December 21, 2007. The Final Order is Doc. 37-2.

3. The Court has determined that the Defendant has complied with the Notice Of Proposed Class Action Settlement. The Court finds that the Class Members have been adequately notified through posting and individual mailing and distribution of the Notice of Class Action Settlement (Doc 38-2).

4. Proposed class members were required to file objections to the proposed settlement, if any, by March 17, 2008.

5. The final approval hearing was held on March 18, 2008 at 1:30 PM.

6. The Court has considered any objections that have been raised to the proposed Final Order. *See* L.R. 23.1(b).

7. The Court has determined that the Final Order is fair, reasonable, adequate, and in the best interests of the class. *See* L.R. 23.1(b).

8. The Court hereby approves the proposed Final Order.

9. Contemporaneously herewith, the Court has signed and dated page 7 of the Final Order.

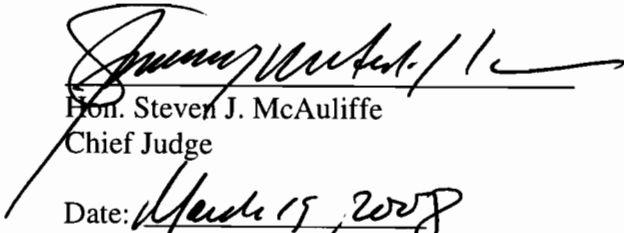
WHEREFORE this Court makes the following orders:

A. For purposes of the Final Order, as stipulated by the parties, the Court certifies the following class:

All individuals who have applied or will apply to New Hampshire Department of Health and Human Services ("DHHS") for Medicaid Aid to the Permanently and Totally Disabled ("APTD") benefits on the basis of their disability and have not received an eligibility determination; and

B. The Court grants final approval to the Final Order; and

C. The Final Order is hereby ORDERED and shall be entered as a final judgment.

  
Hon. Steven J. McAuliffe  
Chief Judge

Date: March 15, 2008